



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,339	02/13/2002	Fumio Horiguchi	219538US2S	4599
22850	7590	03/31/2006		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRAN, ANDREW Q	
			ART UNIT 2824	PAPER NUMBER

DATE MAILED: 03/31/2006


Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No. 10/073,339	Applicant(s) HORIGUCHI, FUMIO	
	Examiner Andrew Q. Tran	Art Unit 2824	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 07 March 2006 under 37 CFR 1.312 has been considered, and has been:
- a) ☐ entered.
 - b) ☐ entered as directed to matters of form not affecting the scope of the invention.
 - c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
 - d) ☒ disapproved. See explanation below.
 - e) ☐ entered in part. See explanation below.

The Amendment under 37 CFR 1.312 above, seeks to reinstate non-elected and canceled claim 9 (currently rewritten as newly added claim 57) based on the assertion that allowed independent claim 1 being generic. The newly raised issue that "claim 1 being generic" was not earlier presented, and consequently further consideration is required.


 Andrew Q. Tran
 Primary Examiner
 Art Unit: 2824